

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: YAMASHITA et al.

Serial No.: Rule 53(b) of 09/849,409

Filed: October 22, 2003

For: OPTICAL MEASUREMENT INSTRUMENT FOR LIVING BODY

Art Unit: Unassigned (3737 previously in parent application)

Examiner: Unassigned (R. Qaderi previously in parent application)

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR 1.97 & 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

October 22, 2003

Sir:

In the matter of the above-identified application, this information disclosure statement is being submitted with the following citation as specified in 37 CFR §1.97(d).

A copy of any patent, publication or other information listed in an Information Disclosure Statement is not required to be provided if it was previously cited by or submitted to the Office in a prior application, provided that the prior application is properly identified in the statement and relied upon for an earlier filing date under 35 U.S.C. §120."

Applicant(s) are submitting herewith a copy of Form PTO-1449 which list documents cited in parent application(s) Serial No. 09/849,409, filed May 7, 2001, which is a continuation of 08/875,081, filed September 29, 1997, now U.S. Patent No. 6,240,309, issued May 29, 2001.

It is respectfully requested that this Information Disclosure Statement be considered by the Examiner.

520.36649VX1  
Rule 53(b) of 09/127,960

Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (referencing Case No. 520.35492CC2) and please credit any excess fees to such deposit account.

Respectfully submitted,



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Form PTO-1449 U.S. Department of Commerce  
Equivalent Patent and Trademark Office

Atty. Docket No. 520.35492CC2  
Serial No. (not yet assigned)  
Applicant: Y. YAMASHITA, et al  
Filing Date: October 22, 2003  
Group:  
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U.S. Patent Documents

Examiner Initials	Document No.	Date	Name	Class	Subclass	Filing Date If Approp.
	4,706,072	11/87	Ikeyama			
	4,948,974	8/90	Nelson et al			
	5,088,493	2/92	Giannini et al			
	5,090,415	2/92	Yamashita et al			
	5,416,582	5/95	Knutson et al			
	5,477,051	12/95	Tsuchiya			
	5,586,554	12/96	Maki et al			
	5,596,987	1/97	Chance			
	5,664,574	9/97	Chance			
	5,673,701	10/97	Chance			
	5,694,938	12/97	Feng et al			
	5,713,352	2/98	Essenpreis et al			
	5,787,887	8/98	Klingenbeck-Regn			
	5,803,909	9/98	Maki et al			
	5,807,263	9/98	Chance			
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	5,853,370	12/98	Chance et al			
	5,876,339	3/99	Lemire			
	5,907,406	5/99	Papaionnou et al			
	5,954,053	9/99	Chance et al			
	5,987,351	11/99	Chance			

Foreign Patent Documents

Document No.	Date	Country	Class	Subclass	Translation Yes	Translation No
57-115232	7/82	Japan				
63-5234	1998	Japan				
63-260532	10/88	Japan				
63-275323	11/88	Japan				
63-277038	11/88	Japan				
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7-124331	5/95	Japan				
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8-215179 8/96 Japan  
Form PTO-1449 U.S. Department of Commerce Atty. Docket No. 520.35492CC2  
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Foreign Patent Documents

Document No.	Date	Country	Class	Subclass	Translation
					Yes      No
GB 2 228 314		Great Britain			
WO 93/25145 A1		PCT			
WO 94/10901 A1		PCT			

Other Documents (including Author, Title, Date, Pertinent Pages, etc.)

"Experimental Study of the Effect of Absorbing and Transmitting Inclusions in Highly Scattering Media", Neil C. Bruce, pp. 6692-6698 (10/94)

"Intracerebral Penetration of Infrared Light", J. Neurosurg, Vol. 76, 315-318 (1992)

"Two-Wavelength Spectrophotometry and its Application", S. Shibata, Published in 1979 by Kodansha

Examiner \_\_\_\_\_ Date Considered \_\_\_\_\_

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MP&P 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.